



**Department of Energy**  
**Environmental Management Consolidated Business Center (EMCBC)**

**Date: 02/01/06**

**Subject: PREVENTION OF SEXUAL HARASSMENT AND OTHER  
 UNLAWFUL ACTS OF HARASSMENT POLICY STATEMENT**

APPROVED: \_\_\_\_\_

EMCBC Director

The purpose of this policy is to affirm the Environmental Management, Consolidated Business Center's (EMCBC) responsibility in maintaining a workplace free from sexual harassment and to ensure that all managers, supervisors, and employees are aware of my personal commitment to this goal. Sexual harassment is unacceptable conduct that undermines the integrity of the workplace, lowers morale, causes potential liabilities, and is counter-productive to the success of the EMCBC.

The Department of Energy (DOE) recognizes that sexual harassment is an unlawful employment practice in violation of Title VII of the Civil Rights Act of 1964. Sexual harassment is defined as unwelcome behavior of a sexual nature, including but not limited to unwelcome sexual advances, request for sexual favors, physical conduct of a sexual nature, or other similar behavior when: (1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or (3) the conduct of a sexual nature has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is not limited to prohibited conduct by a male employee toward a female employee. A male, as well as a female, may be the victim of sexual harassment. Similarly, sexual harassment is not limited to the actions of a supervisory employee toward a non-supervisory employee; the harasser may be an agent of the employer, a supervisory employee who does not supervise the victim, a co-worker or even a non-DOE employee.

Supervisory employees are responsible for informing their respective management of any conduct that they know or have been informed that may constitute harassment (sexual or non-sexual) within the EMCBC. Supervisory employees who have knowledge of an act of possible harassment should contact the EMCBC Office of Civil Rights and Diversity (OCD) for guidance and support in resolving the matter. Supervisors should consider providing interim relief to the alleged victim pending the outcome of the investigation. If an OCD investigation reveals that misconduct occurred, supervisors will immediately contact the Office of Human Resources, who in consultation with the Office of Legal Services will recommend an appropriate corrective action which may include discipline ranging from reprimand up to removal.

Every EMCBC employee has the right to work in an environment free from unlawful harassment and retaliation. Any EMCBC employee engaging in harassing or retaliatory behavior that is in violation of the law or this policy is subject to disciplinary action, which may include suspension or removal.